

6-403. WANTON TRESPASS ON PRIVATE PROPERTY.

(A) PROHIBITED — ENTERING AND CROSSING PROPERTY.

A PERSON MAY NOT ENTER OR CROSS OVER PRIVATE PROPERTY OR BOARD THE BOAT OR OTHER MARINE VESSEL OF ANOTHER, AFTER HAVING BEEN NOTIFIED BY THE OWNER OR THE OWNER'S AGENT NOT TO DO SO, UNLESS ENTERING OR CROSSING UNDER A GOOD FAITH CLAIM OF RIGHT OR OWNERSHIP.

(B) SAME — REMAINING ON PROPERTY.

A PERSON MAY NOT REMAIN ON PRIVATE PROPERTY INCLUDING THE BOAT OR OTHER MARINE VESSEL OF ANOTHER, AFTER HAVING BEEN NOTIFIED BY THE OWNER OR THE OWNER'S AGENT NOT TO DO SO.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.

(D) CONSTRUCTION OF SECTION.

THIS SECTION PROHIBITS ONLY WANTON ENTRY ON PRIVATE PROPERTY.

(E) APPLICABILITY TO HOUSING PROJECTS.

THIS SECTION ALSO APPLIES TO PROPERTY THAT IS USED AS A HOUSING PROJECT AND OPERATED BY A HOUSING AUTHORITY OR STATE PUBLIC BODY, AS THOSE TERMS ARE DEFINED IN ARTICLE 44A OF THE CODE, IF AN AUTHORIZED AGENT OF THE HOUSING AUTHORITY OR STATE PUBLIC BODY GIVES THE REQUIRED NOTICE SPECIFIED IN SUBSECTION (A) OR (B) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 577(a)(2) and (b).

In subsection (a) of this section, the former references to "land" and "premises" are deleted as included in the reference to "private property".

Also in subsection (a) of this section, the former reference to being "duly" notified is deleted as surplusage.

In subsection (d) of this section, the reference to entry "on private property" is added for clarity and consistency with subsection (a) of this section. Correspondingly, the reference to "private property" is substituted for the former reference to "land".

In subsection (e) of this section, the former reference to a "duly" authorized agent is deleted as implicit in the reference to an "authorized agent".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that subsection (d) of this section appears to prohibit only "wanton" entry onto private property, but not "wanton[ly]" remaining on private property after being notified not to do so.